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13  
14 IN THE UNITED STATES DISTRICT COURT  
15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16  
17 ENVIRONMENTAL DEFENSE, ) Case No. C 05 2090 SC  
18 )  
19 Plaintiff, ) ) NOTICE OF  
20 ) ) CONSENT DECREE  
21 v. ) ) DEADLINE EXTENSION  
22 )  
23 )  
24 UNITED STATES ENVIRONMENTAL )  
25 PROTECTION AGENCY, et al., )  
26 )  
27 Defendants. )  
28 )

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19 Paragraph 7 of the Consent Decree entered in this case provides that the deadlines  
20 in paragraphs 4 and 5 of the Consent Decree can be extended for a period of 60 days or  
21 less by written stipulation of the parties to the Consent Decree filed with the Court. No  
22 action by the Court is required for such an extension.

23 The parties have agreed that it is appropriate to extend the deadlines in paragraphs 4  
24 and 5 of the Consent Decree (as modified by previous extensions) by fifty-six days.  
25 Accordingly, pursuant to paragraph 7 of the Consent Decree, defendants United States  
26 Environmental Protection Agency, *et al.* (collectively "EPA") and plaintiff Environmental  
27 Defense hereby stipulate: (1) to an extension of the deadline in paragraph 4 of the Consent  
28 Decree for EPA to sign either a proposal to grant plaintiffs' petition to list diesel emissions

1 as a hazardous air pollutant or a final denial of the petition from July 11 , 2007 to September  
2 5, 2007, and (2) to an extension of the deadline in paragraph 5 of the Consent Decree for  
3 EPA to sign a final determination to grant or deny the petition (in whole or in part) if EPA  
4 publishes a proposal to grant it from August 8, 2007 to October 3, 2007.<sup>1/</sup>  
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6 Respectfully submitted on this 10th day of July, 2007.

7 Respectfully submitted,

8 RONALD J. TENPAS  
9 Acting Assistant Attorney General

10 /S/  
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27 LAST EXTENSION to be granted by the Court, without a Court Hearing.

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USDJ 7/11/07

1/ The original deadline in paragraph 4 of the Consent Decree was June 12, 2006. The  
2 deadline had been extended to December 14, 2006 by agreement of the parties, and, in an  
3 Order dated December 11, 2006, the Court approved an extension of the deadline to March  
4 14, 2007. The deadline was further extended to July 11, 2007 by agreement of the parties.  
5 The deadline in paragraph 5 was previously extended by agreement of the parties from May  
6 1, 2007 to August 8, 2007.